

**MINUTES**  
**Town of Crested Butte**  
**Regular Town Council Meeting**  
**Monday, April 19, 2021**

Mayor Schmidt called the meeting to order at 7:01PM.

Council Members Present: Will Dujardin, Mallika Magner, Laura Mitchell, and Jason MacMillan

Staff Present: Town Attorney John Sullivan, Finance Director and Acting Town Manager Rob Zillioux, Town Clerk Lynelle Stanford, and Community Development Director Troy Russ

Public Works Director Shea Earley and Chief Marshal Mike Reily (for part of the meeting)

Everyone connected and participated in the meeting via Zoom. Schmidt, Stanford, Russ, and Earley were present in Council Chambers.

Schmidt mentioned the preceding work session, which was an update from County Commissioner Jonathan Houck. Schmidt explained the Executive Session would take place at the end of the agenda.

**APPROVAL OF AGENDA**

Dujardin pointed out a potential conversation regarding the RV dump station had been mentioned. It was confirmed the RV dump station would be discussed under Other Business.

Dujardin moved and Mitchell seconded a motion to approve the agenda with moving Executive Session to the end. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**CONSENT AGENDA**

**1) April 5, 2021 Regular Town Council Meeting Minutes.**  
*Staff Contact: Town Clerk Lynelle Stanford*

**2) Letter of Support for the Gunnison County Regional Community Team's Application to the Recovery Roadmap.**  
*Staff Contact: Town Manager Dara MacDonald*

Mitchell moved and Dujardin seconded a motion to approve the Consent Agenda. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

## **PUBLIC COMMENT**

Shaun Horne - 323 Whiterock Avenue

- Schmidt referred to the letter Horne sent to the Council.
- Schmidt said he asked the Town Manager to respond to the points Horne made within the letter.
- Horne was reaching out now because they were in a time crunch (regarding the Art Market special event).
- He thought that Crested Butte should have one of the best art markets, given the amazing physical environment and proximity to Denver. It had not happened because they did not have a space that worked well, until last year.
- He got the impression that the Farmers Market organizer was told the (1<sup>st</sup> and Elk) parking lot would not be used for events.
- The parking lot was ideal for the Art Market event.
- Horne asked the Council to rethink using the parking lot.
- He had a long-term vision of a quality art market that would not hurt businesses.
- He would be communicating with the Town about building a better art market.
- Schmidt affirmed he would talk to the Town Manager.

Adam Freed - 412 Whiterock Avenue

- He would chime in on Horne's comments.
- He outlined his involvement with the art community.
- He advocated for a better location for the Crested Butte Art Market.
- The Zero Block was not the most suitable space for the Art Market, and he stated the Zero Block was sloped.
- The parking lot would be a more suitable location for the Crested Butte Art Market.
- They used the space last year with good results.

Kent Cowherd - 901 Teocalli Avenue

- He recommended a joint meeting with Mt. Crested Butte regarding a three-mile plan.
- Russ told Cowherd the three-mile plan would be a part of the Community Compass process.

## **STAFF UPDATES**

- Schmidt noted there would be no 4<sup>th</sup> of July parade this year because of the uncertainty around COVID restrictions.
- Schmidt recognized Parks and Rec for their spring clean-up work, and he mentioned the upcoming Parking Management Plan meeting
- Schmidt asked Russ about the Historical Structural Assessment of Town Hall.
- Zillioux reported that trends from the second half of 2020 continued into 2021. He stated real estate was white hot right now, and remote workers were driving sales tax revenue.

- The Crested Butte Avalanche Center Outreach Program was acknowledged. Dujardin was glad Town worked with the Avalanche Center.

### **LEGAL MATTERS**

Sullivan wanted to give the Council a heads up they would have a hearing that involved an appeal for the owner of an affordable housing unit about whether he qualified for the unit. Sullivan anticipated the hearing would be on the agenda for the May 3<sup>rd</sup> meeting. The attorneys would put together a short memo regarding the ground rules for the hearing. Schmidt confirmed the Council members should not discuss the appeal before the meeting.

### **PUBLIC HEARING**

**1) New Hotel and Restaurant Liquor License for Gretchen Wasinger DBA A Daily Dose Located at 330 Elk Avenue, Unit C.**

***Staff Contact: Town Clerk Lynelle Stanford***

Schmidt acknowledged that Wasinger was on the line. He confirmed proper public notice had been given. Wasinger informed the Council she wanted the alcohol component for the juice bar. She planned to close at 7PM four nights a week and 9PM three nights a week.

Schmidt opened the public hearing. No one from the public chose to speak. The public hearing was closed.

Magner moved and Dujardin seconded a motion to approve the license. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **NEW BUSINESS**

**1) Ordinance No. 6, Series 2021 - An Ordinance of the Crested Butte Town Council Amending and Replacing Crested Butte Municipal Code Chapter 8, Article 2, Section 60, Designated Loading Zones.**

***Staff Contact: Public Works Director Shea Earley***

Schmidt read the title of the ordinance. He recognized the Council could set the ordinance for public hearing if they wished. Magner recalled a person from the public who had an issue with the location of a loading zone. Russ reported on comments heard from the public regarding loading zones. Magner confirmed the ordinance addressed concerns heard from Bonez.

Mitchell moved and Magner seconded a motion to set Ordinance No. 6, Series 2021 to public hearing at the May 3<sup>rd</sup> meeting. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

**2) Ordinance No. 7, Series 2021 - An Ordinance of the Crested Butte Town Council Amending Crested Butte Municipal Code Chapter 8, Article 4, Section 20, Speed and Special Hazards.**

***Staff Contact: Chief Marshal Mike Reily***

Schmidt read the title of the ordinance. Reily reviewed the direction that was received by Staff. Staff supported the direction for the 10MPH speed limit on Elk Avenue; however, Staff did not think the 10MPH speed limit was needed on Sopris and Maroon. Russ proposed traffic calming measures on Sopris and Maroon that would consist of chicanes and flower boxes. Reily spoke regarding new speed signs that would collect data. Staff recommended going only with the Elk Avenue speed limit of 10MPH and holding off to collect data for a court defensible speed limit on the side streets. Reily cautioned against the 10MPH speed limit on Sopris and Maroon before getting traffic calming and collecting data.

Magner questioned Sullivan on the court defensibility of the 10MPH and 15MPH speed limits. Sullivan clarified the 10MPH speed limit on Sopris and Maroon was less defensible because of the State Statutes. He would defend whatever the Council decided, upon a ticket becoming a case in municipal court. Sullivan explained the lower level of defensibility of the 10MPH speed limit on Sopris and Maroon and the reasons that the 10MPH speed limit was more defensible on Elk Avenue. The discussion focused on details concerning defensibility. Magner pointed out the neighborhoods would really like the 10MPH speed limit. She did not think defensibility should be a part of the consideration.

Russ identified geometrics of the roadway influenced the speed. He clarified Staff's recommendation. Dujardin acknowledged a traffic ticket had not resulted in a trial. He thought there was support for making the side streets' speed limits 10MPH. MacMillan thought 10MPH made a lot of sense on Elk. Cowherd was curious whether Town had authority as a Home Rule municipality. Sullivan responded to Cowherd's point.

MacMillan heard from citizens that 15MPH would be fine, but people were going 20MPH. He asked Reily about enforcement of speeding and about people generally driving 5MPH over the limit. Reily stated the design of the roadway was everything, and people would drive how fast they felt comfortable. The main issue was getting people to feel less comfortable driving fast. The chicanes would function to drop speeds in the residential neighborhoods. Magner looked to see what the posted speed limit was, and she drove it. She was curious that there was not a (Marshal's) departmental policy that was enforced in a consistent manner as to when drivers were stopped. Reily elaborated and responded to Magner.

There was discussion on the two possible motions from the staff report. Russ recognized the chicanes were to drop the speeds. On Elk Avenue, 10MPH was defensible, but there was not data regarding Maroon and Sopris. Russ was trying to create a defensible street.

Magner moved and Dujardin seconded a motion to set Ordinance No. 7, Series 2021, adopting Version A, for public hearing at the May 3<sup>rd</sup> meeting.

MacMillan asked about the implications of the data they would get after the 10MPH speed limit was implemented. Russ was not concerned about the speed limit skewing the results of the data.

A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

### **3) Community Grant Awards.**

**Staff Contact: Finance Director Rob Zillioux**

Zillioux explained the committee was working within the community grant budget of \$50K. He reminded the Council they made the decision to apply \$25K from the nicotine tax for a total of \$75K. The committee received 19 requests that totaled \$90,815. Staff recommended funding 18 grants, totaling \$75,015, which was the baseline; however, the committee wanted the Council to consider increasing the funding amounts to the Gunnison Valley Health Foundation and to the CB State of Mind. Schmidt asked for details on what CB State of Mind was doing, which Zillioux reviewed. Dujardin confirmed he would recuse himself regarding CB State of Mind. Dujardin expounded upon the request made by the Gunnison Valley Health Foundation. Mitchell was okay with the ask if they did not expect the same funding forever. She would like to see the funds come from the nicotine fund. Magner asked Zillioux about the advisability of the larger granted amount. Zillioux agreed with Mitchell that the grants should not be seen as legacy grants. Zillioux was supportive in this case.

Magner moved and Dujardin seconded a motion that we agree to increase the amount to the Gunnison Valley Health Foundation to \$10K to be taken from the nicotine tax. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

Dujardin recused himself from the meeting. He turned off both his sound and video on Zoom.

Magner moved and Mitchell seconded a motion to fund \$15K for CB State of Mind for a total of \$15K. A roll call vote was taken with all voting, "Yes," except for Dujardin who had recused himself and did not vote. **Motion passed unanimously.**

Dujardin returned to the meeting via Zoom.

## **COUNCIL REPORTS AND COMMITTEE UPDATES**

Will Dujardin

- He had a Growing Waters Smart team meeting.
  - The meeting included the Upper Gunnison River Water Conservancy District.
  - It had been very dry.

- There would be an effort for wildfire risk assessment.
- The group would keep on meeting.
- The OVLC had a climate subgroup meeting.
  - John Cattles provided an overview of the County's conference in 2020.
  - Cattles released a nice report that would be brought to the OVLC.
- Houck touched on the COVID updates during the work session. Dujardin encouraged people to get vaccinated and tested.

#### Mallika Magner

- There was a Chamber meeting the other day.
  - Stephanie Sandstrom would be stepping down, as would be the #2.
  - The biggest issue they were discussing was whether they would be putting on the 4<sup>th</sup> of July parade. The Chamber was seriously considering not doing the parade in the future.
- The Town had two parking meetings. It would be great if there was more participation.
- She saw the new Marshals' uniforms.
  - She thought they looked great.
  - She heard input from the community that they appreciated the change.
  - She commended Reily.

#### Jim Schmidt

- The Gunnison Valley Transportation Plan met last Friday.
  - They discussed Little Blue Canyon.
  - Lake City received a grant for more separation with the highway that included a sidewalk.
- He was on with the school planning group last Thursday.
  - He was disappointed with the 10% cut from what was being asked.
  - He pointed out the differences in the square footage per student in Crested Butte compared to Gunnison.

### **OTHER BUSINESS TO COME BEFORE THE COUNCIL**

Schmidt had several people tell him they wanted the Council to revisit the RV dump station discussion. Mitchell was willing to discuss the RV dump station on the next meeting agenda. Schmidt agreed the topic could be an agenda item for the next meeting, referring to Robert's Rules of Order. It was decided that the Council would discuss the RV dump station on May 17<sup>th</sup>.

### **DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEETING SCHEDULE**

- Monday, May 3, 2021 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, May 17, 2021 - 6:00PM Work Session - 7:00PM Regular Council
- Monday, June 7, 2021 - 6:00PM Work Session - 7:00PM Regular Council

## EXECUTIVE SESSION


Magner moved and Mitchell seconded a motion to go into Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4)(e) regarding affordable housing. A roll call vote was taken with all voting, "Yes." **Motion passed unanimously.**

The Council went into Executive Session at 8:38PM. The Council returned to open meeting at 9:07PM. Mayor Schmidt made the required announcement upon returning to open meeting.

## ADJOURNMENT

Mayor Schmidt adjourned the meeting at 9:09PM.

  
James A. Schmidt, Mayor

  
Lynelle Stanford, Town Clerk (SEAL)

